

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(Eastern Division)

_____)	
In re:)	
)	Chapter 11
THE RARITIES GROUP, INC.,)	Case No. 03-18371-WCH
)	
Debtor.)	
_____)	

NOTICE OF REMOVAL
[Referred Pursuant to LR, D.Mass. R. 201]

Notice is hereby given that, pursuant to 28 U.S.C. § 1452 and Federal Rule of Bankruptcy Procedure 9027, the action pending in the U.S. District Court, District of Massachusetts, encaptioned, Ira & Larry Goldberg Coins & Collectibles v. Maria Paul, Civil Action No. 04-13485 NG, (the “District Court Action”) is hereby removed by defendant Maria Paul (“Ms. Paul”) to the U.S. Bankruptcy Court for the District of Massachusetts (Eastern Division) (the “Bankruptcy Court”). The District Court Action is inextricably linked to a bankrupt estate pending in the Bankruptcy Court, and, thus, it should be removed. In further grounds for her Notice of Removal, Ms. Paul states the following.

Background

Ira & Larry Goldberg Coins & Collectibles (“Goldberg”) instituted the Action against Ms. Paul to enforce a Guaranty that Ms. Paul allegedly signed to guaranty the debt of The Rarities Group, Inc. (“Rarities/Debtor”). On October 7, 2003, before Goldberg instituted the District Court Action, Rarities/Debtor filed for protection in this Court under Chapter 11 of the United States Bankruptcy Code. In connection with Rarities’/Debtor’s bankruptcy case, as

encaptioned above, Goldberg instituted an Adversary Proceeding against Rarities/Debtor to determine whether and to what extent Rarities/Debtor is indebted to Goldberg.

The District Court Action Is Connected to Rarities' Bankruptcy.

The District Court Action is inextricably linked to this Adversary Proceeding in the Bankruptcy Court. Goldberg alleges that Ms. Paul guaranteed Rarities'/Debtor's debt. Thus, Ms. Paul is only liable if, and only to the extent to which, Rarities/Debtor is indebted to Goldberg. The Bankruptcy Court's determination as to the extent of Rarities'/Debtor's debt is a prerequisite to determining Ms. Paul's liability. Rarities/Debtor is a necessary party to the action involving Ms. Paul.

The Bankruptcy Court Has Jurisdiction over the District Court Action.

The District Court Action arises in or is related to Rarities'/Debtor's bankruptcy. Therefore, the Bankruptcy Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334.

Ms. Paul Is Entitled To Remove the District Court Action.

Because the Bankruptcy Court has jurisdiction over the District Court Action, Ms. Paul is entitled to remove it to the Bankruptcy Court pursuant to 28 U.S.C. § 1452.

Upon Removal, This Will Be a Core Proceeding.

Based upon the above facts, upon removal, this case will be a core proceeding pursuant to 28 U.S.C. § 157(b).

Accompanying Attachments

Ms. Paul attaches hereto as Exhibit 1 and 2 respectively, true and accurate copies of the

Complaint for Breach of Guaranty filed in the District Court Action and the accompanying
Summons.

Defendant,
Maria Paul,
By her attorney,

/s/ Alex F. Mattera

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March 31, 2004